The Canonization of Ancient Hebrew and Confucian Literature*

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Abstract

Recent humanistic scholarship regards canonization as a common anthropological phenomenon. Comparing religious canons gives insight on their various canonization processes and functions. Apparently, concepts commonly applied in biblical studies are anachronistic, reflecting notions of canonicity brought about by Islamic Scripture as well as by European mass printing technology. Philip Davies in his *Scribes and Schools* considered ancient Hebrew canonization in its technological, cultural and social framework, and identified the scribal class as a primary focus for the study of biblical canonization. This article argues that there were similarities between the canonization of ancient Hebrew and Confucian literature. The two occurred under comparable technological and cultural conditions. Using implications from Confucian canonization, this essay attempts to evaluate certain models in *Scribes and Schools*, in particular Davies' view of a 'top-down' canonizing process. The Confucian material hints that Hebrew canonization had rather more of a two-way movement of influence.

Keywords: Canonization, Hebrew Bible, Confucian classics, comparative religious studies.

This essay attempts to compare two canonizing processes: those of biblical Hebrew and of ancient Confucian literature. I start, therefore, with an apology for elaborating on matters Chinese without being a Sinologist. Hopefully, the comparative nature of the essay still renders it worthwhile.

Many biblical scholars would be surprised by a call for such comparison. True enough, there have been similar attempts. Particularly important are the works of John Henderson and Wilfred C. Smith.[1] But comparative perspectives have not made it into mainstream scholarship on the biblical canon.[2] I shall claim that comparative studies help biblical scholars identify anachronistic features in common concepts of canon and canonicity. Also, when it comes to the issue of canonization, the Confucian tradition is perhaps the best-documented process of the ancient world that could in some sense be conceived of as comparable to that of biblical Hebrew literature.

1. Canon and Canonization in Recent Scholarship

To some biblical scholars 'canon' denotes the most exclusive and particular qualities in biblical literature. Indeed, canon is what makes the Bible into theology.[3] As opposed to this, recent humanist scholarship finds

1.   J.B. Henderson, *Scripture, Canon, and Commentary: A Comparison of Confucian and Western Exegesis* (Princeton, NJ: Princeton University Press, 1991); W.C. Smith, *What is Scripture? A Comparative Approach* (Minneapolis: Fortress Press, 1993).

2.   Only a few works in biblical and Oriental studies have had a comparative scope. Among them are: V.A. Hurowitz, 'Canon and Canonization in Mesopotamia: Assyriological Models or Ancient Realities?', in R. Margolin (ed.), *Proceedings of the Twelfth World Congress of Jewish Studies* (World Congress of Jewish Studies, 12/A; Jerusalem: World Union of Jewish Studies, 1999), pp. 1*-12*; A. van der Kooij and K. van der Toorn (eds.), *Canonization and Decanonization: Papers Presented to the International Conference of the Leiden Institute for the Study of Religions* (Numen Book Series, 82; Leiden: E.J. Brill, 1998); J. Assmann, *Das kulturelle Gedächtnis: Schrift, Erinnerung und politische Identität in frühen Hochkulturen* (Munich: Beck, 1992); W.W. Hallo, 'The Concept of Canonicity in Cuneiform and Biblical Literature: A Comparative Appraisal', in K.L. Younger, Jr, *et al.* (eds.), *The Biblical Canon in Comparative Perspective* (Scripture in Context, 4; Ancient Near Eastern Texts and Studies, 11; Lewiston, NY: Edwin Mellen Press, 1991), pp. 1-20; W.W. Hallo *et al.* (eds.), *The Bible in the Light of Cuneiform Literature* (Scripture in Context, 3; Ancient Near Eastern Texts and Studies, 8; Lewiston, NY: Edwin Mellen Press, 1990); F. Rochberg-Halton, 'Canonicity in Cuneiform Texts', *JCS* 36 (1984), pp. 127-44, and the works by Philip Davies (below). All the studies just mentioned use material from ancient Near Eastern cultures only.

3.   See, for instance, B.S. Childs, *Introduction to the Old Testament as Scripture* (Philadelphia: Fortress Press, 1979); R. Rendtorff, *Canon and Theology: Overtures to an Old Testament Theology* (OBT; Minneapolis: Fortress Press, 1993).

canonicity and canonization in all social contexts. Wilfred Smith argues for seeing scripture as a universal anthropological phenomenon that should not be defined from within one particular religion or culture.[4] Jonathan Smith similarly defines canon as a cultural process of limitation and the overcoming of that limitation through exegesis and other interpretation.[5]

In such studies the concept 'canon' denotes any corpus that is recognized by any given community as authoritative or superb. That corpus could be a collection of texts, of authors, artefacts (for instance images), rules (say, for producing artwork), curriculum contents, action (often ritual), or dogma.[6] Scholars refer to canons of literature, art or music, and also for instance to the juridical or sociological canon (i.e. the 'classics' of law studies or sociology). In this sense, canon is established as a thoroughly comparative phenomenon.[7]

In a comparative perspective, the scholarly focus shifts away from that which is unique in each tradition towards that which is common to them. Obviously, what is common is not the content of the various canons. Rather, comparative studies focus on the way canons *function*: socially, ideologically, religiously, and so on. Important in this respect is the dynamic around the establishing of a canon. A comparative focus brings the issue of canonization (and de-canonization) to the fore.

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4. This is a main issue in Smith, *What is Scripture?*, cf. p. 206. In addition, I have consulted W.C. Smith, 'The True Meaning of Scripture: An Empirical Historian's Nonreductionist Interpretation of the Qur'an', *International Journal of Middle East Studies* 11 (1980), pp. 487-505.

5. J.Z. Smith, 'Sacred Persistence: Towards a Redescription of Canon', in W.S. Green (ed.), *Approaches to Ancient Judaism: Theory and Practice* (BJS, 1; Missoula, MT: Scholars Press, 1978), pp. 11-28 (26-27).

6. Cf. A. Hahn, 'Kanonisierungsstile', in A. Assmann *et al.* (eds.), *Kanon und Zensur: Beiträge zur Archäologie der literarischen Kommunikation II* (Munich: Wilhelm Fink, 1987), pp. 28-37 (28).

7. Additional to those studies cited immediately above and below, some recent monographs and collected works on religious canons in comparative perspective are: W.A. Graham, *Beyond the Written Word: Oral Aspects of Scripture in the History of Religions* (Cambridge: Cambridge University Press, 1987); H. Coward, *Sacred Word and Sacred Text: Scripture in World Religions* (Maryknoll, NY: Orbis Books, 1988); R. Fernhout, *Canonical Texts: Bearers of Absolute Authority. Bible, Koran, Veda, Tipitaka: A Phenomenological Study* (Amsterdam: Rodopi, 1994); H. Coward (ed.), *Experiencing Scripture in World Religions* (Faith Meets Faith Series; Maryknoll, NY: Orbis Books, 2000); U. Tworuschka (ed.), *Heilige Schriften: Eine Einführung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2000).

Scholars have argued that canons emerge and function differently, have various modes of canonicity, and so on. As the following examples show, it is possible to classify different aspects of canons and canonicity.

(i) Miriam Levering singles out four different ways that people could receive a canon: informative reception (taking seriously the message and authority of a text), transformative reception (expecting personal trans-formation as outcome of one's engagement with the text), transactional reception (expecting texts to effectuate changes in other persons or in circumstances) or symbolic reception (seeing the text as an icon of the truth and power it mediates).[8]

(ii) Kendall Folkert made a distinction between 'vectorizing' and 'vectorized' canons.[9] The first are canonical because of their ability to form people's view of life and society. The latter are canonical because they conform to views of life and society that are already established before and outside of the canon.

(iii) There are various social settings for canons. Some are primarily used for divinatory purposes. These are set in religion or magic.[10] Other canons are formative, serving the purpose of education. They are set in schools, like Talmud in Jewish religion.[11] A canon could (and the 'great' canons *did*) transform into philosophy, usually through a corpus of commentary literature.[12] Such functionality in a canon could be expected only in layers of society familiar with canonical commentary. Another social setting for canons would be a juridical function, as in Islam[13] (and, presumably, in early Judaism; cf. Exod. 18.17-27).

(iv) Canons have varying degrees of closure and textual fixation. Some, like the Koran, the Mishnah or the New Testament are quite fixed, either formally or in practice. Others, like Hindu or Buddhist canons, the

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8. M. Levering, 'Introduction', in *idem* (ed.), *Rethinking Scripture: Essays from a Comparative Perspective* (Albany, NY: State University of New York Press, 1989), pp. 1-17 (13-14, 17).

9. K.W. Folkert, 'The "Canons" of "Scripture"', in Levering (ed.), *Rethinking Scripture*, pp. 69-79.

10. See Smith, 'Sacred Persistence', p. 24; cf. pp. 24-26.

11. Cf. for instance M. Halbertal, *People of the Book: Canon, Meaning, and Authority* (Cambridge, MA: Harvard University Press, 1997).

12. Henderson, *Scripture, Canon, and Commentary*, p. 3, says: 'Until the seventeenth century in Europe, and even later in China, India, and the Near East, thought, especially within high intellectual traditions, was primarily exegetical in character and expression'.

13. Cf. T. Seidensticker, 'Koran', in Tworuschka (ed.), *Heilige Schriften*, pp. 111-30 (127-30).

ancient Egyptian, Greek or the modern literary canons,[14] were never closed, neither formally nor in practice. In between one finds, say, the Christian Old Testament with its different, converging versions or the Confucian canons with their combination of rigidity and change (see more below).

(v) Some few canons were formally declared by a central authority, like the Vulgate in the Catholic Church or the *Classics* in imperial China (cf. below). Other collections function as canons because they are commonly perceived as superb. This would be the case for canons of art, literature, scholarship, and so on, and also for instance for Hindu or Buddhist canons.

(vi) There is always a difference between the formal canon (however 'formally' it was declared) and the actual canon, that is, that body of literature (or rules, authors, etc.) that *in reality* governs public and personal life.[15] The latter, informal, canon would often be more influential at a given point in time, whereas the first would be more persistent in the long course of a culture.

(vii) Canons emerge and subsist under different cultural and technological conditions. Present-day canons promoted by book printing and mass media technology differ vastly from those of semi-oral societies like ancient Israel or China.[16] The level of literacy and schooling in a population makes a huge impact on the function of a canon, and so does the level and distribution of technology for writing, storing and retrieving texts.

In a historically informed comparative study, one would compare canons with fairly similar development, social and technological framework, and so on. As I shall argue, ancient Confucian canonization is a

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14. For canon in Hindu scriptures, see C.-A. Keller, 'Heilige Schriften des Hinduismus', in Tworuschka (ed.), *Heilige Schriften*, pp. 144-66; for Buddhist scriptures, cf. M. Levering, 'Scripture and its Reception: A Buddhist Case', in *idem* (ed.), *Rethinking Scripture*, pp. 58-101; for Egyptian scriptures, cf. A. Assmann and J. Assmann, 'Kanon und Zensur als kultursoziologische Kategorien', in Assmann *et al.* (eds.), *Kanon und Zensur*, pp. 7-27 (10). For ancient Greek and modern literary canon, see J. Gorak, *The Making of the Modern Canon: Genesis and Crisis of a Literary Idea* (Vision, Division and Revision: The Athlone Series on Canons; London: Athlone Press, 1991), pp. 4-8, 9-18, *et passim*.

15. This distinction is made in Levering, 'Introduction', p. 13.

16. See discussion in Smith, *What is Scripture?*, pp. 45-64. On interaction between orality and literacy in early societies, see still W.J. Ong, *The Presence of the Word: Some Prolegomena for Cultural and Religious History* (New Haven: Yale University Press, 1967); and more recently *idem*, *Orality and Literacy: The Technologizing of the Word* (New Accents; London: Routledge, 1988).

good comparison for the Hebrew, and vice versa. However, before going into that issue, we need to summarize recent views of Hebrew and then Confucian canonization.

2. Hebrew Canonization

a. Status

This is not the occasion to go into the history and present state of scholarship on biblical Hebrew canonization.[17] I only recall some relevant data and implications. First, it is commonly acknowledged that some canonization (formal or informal) was in progress by the time the preface to Ben Sira was written, in the second half of the second century BCE. At the other end of the process, it is commonly accepted from Talmudic evidence that Jewish canonization concluded no later than in the second century CE. (The end of canonization is less clear-cut on the Christian side.) So, we may assume as a starting point that the canonization of biblical Hebrew literature took place between around 200 BCE and 100 CE.

The books now contained in the Hebrew Bible went through extensive editing before assuming their present form. Some of them were still being edited during canonization, which caused varying versions to be included in various canons, and sometimes the older in the Greek.[18] Indeed, the processes of editing and canonizing may have been interdependent.[19] A proto-canonical status of some biblical books (or parts of books) prior to 250 BCE is arguably reflected in inner biblical citation and exegesis.[20]

17. For the apprehensions of the biblical canon in the first millennium and a half, see R.T. Beckwith, *The Old Testament Canon of the New Testament Church* (London: SPCK, 1985), pp. 1-4. For summary of the present discussion, see A.E. Steinmann, *The Oracles of God: The Old Testament Canon* (St Louis, MO: Concordia Academic Press, 1999), pp. 19-29. Among recent works drawing the larger picture are: J. Barton, *Holy Writings, Sacred Text: The Canon in Early Christianity* (Louisville, KY: Westminster/John Knox Press, 1997); S.B. Chapman, *The Law and the Prophets: A Study in Old Testament Canon Formation* (FAT, 27; Tübingen: Mohr Siebeck, 2000); L.M. McDonald and J.A. Sanders (eds.), *The Canon Debate: On the Origins and Formation of the Bible* (Peabody, MA: Hendrickson, 2002); J.M. Auwers and J.H. de Jonge, *The Biblical Canons* (BETL, 163; Leuven: Peeters, 2003).

18. See, for instance, E. Tov, *Textual Criticism of the Hebrew Bible* (Minneapolis; Fortress Press; Assen: Van Gorcum, 1992).

19. See J.A. Sanders, *From Sacred Story to Sacred Text: Canon as Paradigm* (Philadelphia: Fortress Press, 1987).

20. Cf. first on this issue M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Oxford University Press, 1985).

Qumran scriptural exegesis documents a later phase of the same process where certain books had a privileged status and yet also were still eligible to change.[21] A reasonable assumption, therefore, is that one or more groups of scribes were editing a literary *bonum commune*. This material had a proto-canonical, later a canonical, status while still being edited. Beyond this assumption, there is debate on the nature of this *bonum commune*, the nature of biblical Hebrew canonization and canon, and the issues of dating and socially locating various stages of the process. Recent studies have brought challenges to traditional views, making this debate considerably more complicated. First, it is now argued that the tri-partite division of the canon reflected in the Hebrew Bible might be quite late, and that a bipartite canon seems to be more in accordance with the earlier evidence (Barton and Chapman). Secondly, there most probably was no Alexandrian canon and also no canonical decision on a synod in Jamnia.[22]

Some scholars now argue that the entire canon was closed no earlier than around 100 CE.[23] Others interpret the evidence to the effect that the entire collection (with insignificant exceptions) was canonized by the time of the Prologue of Ben Sira.[24] Andrew Steinmann has outlined yet another position. He argued that biblical literature was *in practice* canonical by the second century BCE. However, it only was *formally* canonized, in the form of a list, after the fall of the temple (70 CE).[25] Steinmann could probably have found support for this new position in the kind of reasoning heralded by Philip Davies (see below), but he remained within the horizon of conventional argumentation.

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21. See recently M. Henze (ed.), *Biblical Interpretation at Qumran* (Studies in the Dead Sea Scrolls and Related Literature; Grand Rapids: Eerdmans, 2005); P.W. Flint (ed.), *The Bible at Qumran: Text, Shape, and Interpretation* (Studies in the Dead Sea Scrolls and Related Literature; Grand Rapids: Eerdmans, 2001); J.H. Charlesworth, *The Hebrew Bible and Qumran* (The Bible and the Dead Sea Scrolls, 1; N. Richland Hills, TX: Bibal Press, 2000).

22. A.C. Sundberg, Jr, *The Old Testament of the Early Church* (HTS, 20; Cambridge, MA: Harvard University Press, 1964), and, for instance, Beckwith, *The Old Testament Canon*.

23. Sundberg, *The Old Testament of the Early Church*, and recently L.M. McDonald, *The Formation of the Christian Biblical Canon* (Peabody, MA: Hendrickson, 1995).

24. S.Z. Leiman, *The Canonization of Hebrew Scripture: The Talmudic and Midrashic Evidence* (Transactions: The Connecticut Academy of Arts and Sciences, 47; Hamden, CT: Archon, 1976); Beckwith, *The Old Testament Canon*.

25. Steinmann, *Oracles of God*.

b. Philip Davies: *Scribes and Schools*

A few years ago Philip Davies produced the first full attempt to see the canonization of Hebrew Scriptures within its technological, cultural, social and ideological framework.[26] In addition, *Scribes and Schools* also applies some comparative research on canons and canonicity in the Ancient Orient.[27] Davies defines the processes of transmission and archiving as vital to canonization. He convincingly identifies the scribal class as instrumental in establishing the text of the biblical canon.[28] After this book, no debate on biblical canonization can escape questions of what specific groups, activities and social dynamics were involved in biblical canonization. Of course, we know little about ancient Hebrew scribes, their life and work. Also, whatever information *is* available,[29] Davies does not exhaust in this book. He gives more a *theory* of Hebrew canonization, and less a consideration of the data obtainable to write such a *history*. Still, his contribution is of paramount importance to the study of biblical Hebrew canonization.

In Davies' perspective, a canon is an instrument of cultural and social control.[30] As a consequence, he regards the Hebrew Scriptures mainly as an expression of the values of the scribal class, canonizing their own elitist world. Canon is mainly a phenomenon understood to arise internally in the scribal class. In outline, Davies assumes that the Hebrew collection was formalized only in the second or third century CE, by Jewish rabbis and Masoretes. In the wake of the fall of Jerusalem (70 CE), these leaders, trained as scribes, took over several ('loose') canons already in circulation, and systematized them. The end product was not a

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26. P.R. Davies, *Scribes and Schools: The Canonization of the Hebrew Scriptures* (Library of Ancient Israel; Louisville, KY: Westminster/John Knox Press, 1998); cf. also *idem*, 'Loose Canons: Reflections on the Formation of the Hebrew Bible', *JHS* 1 (1997), available online at <http://www.arts.ualberta.ca/JHS/Articles/article5.htm>; *idem*, 'The Jewish Scriptural Canon in Cultural Perspective', in McDonald and Sanders (eds.), *The Canon Debate*, pp. 36-52.

27. Davies draws mostly upon Mesopotamian material (see *Scribes and Schools*, esp. pp. 19-23, 30-32), and makes some reference to Greek and Hellenistic cultures (cf. pp. 25-30). Recent comparative discussion is not thoroughly reflected in the book.

28. A concise presentation is given in Davies, *Scribes and Schools*, pp. 8-12, 17-19, 33-35.

29. Such as implications from Qumran, from inner-biblical exegesis, from editorial activity in biblical literature, etc.

30. Davies, *Scribes and Schools*, p. 10: 'All canonizing is elitist in conception and authoritarian in implementation. Cf. pp. 8-12 *et passim*.

holy text, but a holy *object* that had to be kept and handled in particular ways. The Torah was originally an icon for Jewish religion, and not primarily a source for doctrine, ethics or cult.[31]

According to Davies, the rabbis that formalized the canon stood in a long line going back to an initiative by the Hasmoneans (starting around 160 BCE). In their attempt to build (or to conquer) regional identity, they were the first to establish a central library in the Jerusalem temple.[32] In suggesting that a temple library was instrumental in canonization, Davies does of course echo earlier scholars.[33] The sources, one would usually add, imply that the Hasmonean library enterprise came about in response to a book-burning incident initiated by political enemies (cf. 1 Macc. 1.56-57; 2 Macc. 2.13-15).

3. Confucian Canonization: Zhou to Han (Tang)

Space allows for only a brief sketch of the history of Confucian canonization,[34] focusing on the *Classics* and their canonization up to and including the former Han Dynasty (9 CE). Additionally, I keep in mind the Confucian canons up to and including the Tang period (618–906 CE). This stretch of time covers the formation (Zhou and early Han), consolidation (later Han), and rise and fall (through Tang) of the first Confucian canonical era.[35] It is this ancient Confucian tradition that I propose to compare to its biblical Hebrew counterpart.

Apparently, a bulk of traditional material was in use for education in state and local colleges of the Zhou kingdom, being transmitted among the early *literati*. Confucius (552?–479 BCE), making his living as a travelling teacher, took it upon himself to edit this material, possibly adding some interpretive passages. He and his followers gave shape to the

31. Davies, *Scribes and Schools*, p. 78; cf. pp. 169-82.

32. Davies, *Scribes and Schools*, pp. 174, 177-82.

33. For further discussion, see, for instance, Beckwith, *The Old Testament Canon*; A. van der Kooij, 'The Canonization of Ancient Books Kept in the Temple of Jerusalem', in Van der Kooij and Van der Toorn (eds.), *Canonization and Decanonization*, pp. 17-40.

34. I rely upon *inter alia* M. Nylan, *The Five 'Confucian' Classics* (New Haven: Yale University Press, 2001), esp. pp. 8-51; X. Yao, *An Introduction to Confucianism* (Cambridge: Cambridge University Press, 2000), pp. 49-67, see also Henderson, *Scripture, Canon, and Commentary*, Chapters 1–2, *et passim*.

35. A second wave of Confucian canonization came in the Neo-Confucian period after the Tang Dynasty. Some phenomena in Tang canonization are best seen as transitory to that next phase.

Five Classics.[36] Tradition credits Confucius himself for (most of) the text of the *Classics*. Historical scholarship assumes more activity in the following era, and also stresses that Confucius collected and edited traditional literature. In this view, therefore, the *Classics* are more of a traditional product. In any event, the *Five Classics* were still being edited several hundred years after the death of Confucius.[37] The two most drastic examples of growth would be, first, the alleged discovery of previously unknown sections of the *Book of History* by the scholar Fu-Sheng of Jinan. Secondly, there are the additional sections of the same book allegedly recovered from within the wall of Confucius' lecture hall. Julia Ching refers to this simply as a 'forgery'.[38] Less drastic examples are glosses, interpolations, explanations, and so on, all of a nature well known to scholars of biblical and Second Temple literature.

The *Classics* became textbooks in Confucian schools of the warring states period (475–222 BCE). Their use and editing was situated within an ever-ongoing philosophical debate.[39] Tradition says the Confucian books were lost during a book-burning in the Qin Dynasty (221–209 BCE). Some scholars doubt this account.[40] At any rate, the (reconstructed?) *Classics* gained status as imperial school texts during the so-called Han orthodoxy. Around 175 BCE, the *Classics* were engraved in stone to safeguard their wording,[41] and in 136 BCE Emperor Wu declared them to be the basis for imperial schooling. This schooling was required to go into imperial service on central and regional levels, and so knowledge of the *Classics* was effectively spread to all Chinese elite (the *literati*) and through them to every part of the empire. In 124 BCE, five scholars were appointed at the state *Da Xue* (grand academy, university) to teach one classic each. By this move, canonization of the *Classics* was in practice

36. These *Five Classics* are the *Shi jing* (*Book of Poetry*), the *Yi jing* (*Book of Changes*), the *Shu jing* (*Book of History*), the *Li jing* (*Book of Rites*) and the *Ch'un-ch'iu* (*Spring and Autumn Annals*). In addition, a sixth classic, *Yue jing* (*Book of Music*) that was purportedly lost to posteriority during the book-burning of the Qin Dynasty (see below).

37. See Nylan, *Five 'Confucian' Classics*, esp. pp. 8-51, and cf. for instance Yao, *Introduction to Confucianism*, pp. 49-67.

38. J. Ching, *Mysticism and Kingship in China: The Heart of Chinese Wisdom* (Cambridge: Cambridge University Press, 1997), p. 150.

39. See for instance A.C. Graham, *Disputers of the Tao: Philosophical Argument in Ancient China* (Chicago: Open Court, 1989).

40. Cf. *inter alia* Nylan, *Five 'Confucian' Classics*, pp. 27-31.

41. On textual standardisation, see Nylan, *Five 'Confucian' Classics*, pp. 41-51.

concluded, save for the fact that the curriculum of the imperial schools still was to undergo changes later on.

Despite their exceptionally strong position, the *Five Classics* were never sole authorities. First, they were transmitted in schools that also transmitted *interpretations* of the *Classics*. Already from the fifth century BCE there were commentaries on the *Spring and Autumn Annals*. These existed alongside the *Classics* and eventually reached canonical status themselves as part of the *Nine Classics* in the Tang Dynasty (618–906 CE). Three books on rites had a similar history.[42] Other ancient books too aspired to canonicity, among them the *Analects* (*Lun Yu*) and the book on filial piety (*Xiao jing*). Both were composed early, and both were added to the canonical list of the imperial curriculum in later Han.[43] A book like that of Mencius (*Meng-Tzu*) was transmitted alongside the canon from its origin in the fourth century BCE to its inclusion in the Neo-Confucian canon a millennium and a half later. Something similar goes for the *Doctrine of the Mean* (*Zhong Yong*) and the *Great Learning* (*Da Xue*).[44]

4. Ancient Hebrew and Confucian Canonization

a. Why Compare the Two?

It has been conventional to assume that theocentric religions, like Judaism, have unitary and closed canons—as opposed to Eastern canons —because in Western religions 'scripture is the place where God speaks to men'.[45] This apprehension of canonical literature is in fact rather late. It is influenced especially by the emergence of the Koran.[46] Certainly the view of biblical literature as 'God's speech to humans' may be present in Second Temple and later Jewish literature.[47] Still, this is not a likely description for most of the biblical Hebrew record, and it would hardly have been the only apprehension of the canon. More importantly, present Western configurations of the Bible as 'the Word of God' is inevitably

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42. Yao, *Introduction to Confucianism*, pp. 56-57.
43. Yao, *Introduction to Confucianism*, pp. 56-57 and 63.
44. Yao, *Introduction to Confucianism*, pp. 64-65.
45. Cited with partial approval even by Henderson, *Scripture, Canon, and Commentary*, p. 21 n. 1.
46. Cf. for this and the following Smith, *What is Scripture?*, *passim*.
47. Cf. B.A. Holdrege, 'The Bride of Israel: The Ontological Status of Scripture in the Rabbinic and Kabbbalistic Traditions', in Levering (ed.), *Rethinking Scripture*, pp. 180-261 (227-30).

coloured by drastic changes in culture and technology.[48] Before the age of the Reformation, copies of Scripture were not commonly available, and most citizens would not have been able to read them anyway.[49] The post-Enlightenment drive away from memorization and rhetoric and towards *silent* reading coined our view of Scripture as *written* artefact. Before this—and certainly in the Second Temple period—Scripture and canon would have had a noticeable oral/aural dimension as well.[50] In such a setting, 'Scripture' would not easily be conceived of as divine communication addressed directly to the individual believer.

There seems to have been formal and functional similarities between the Hebrew and Confucian canons of antiquity. First, the process of authoring, editing, collecting and transmitting the *Five Classics* was quite similar to that of biblical Hebrew literature. Both occurred in scribal groups that used material from a literary *bonum commune*. Both made (at least parts of) their collections for use in education.[51] Also, the processes occurred under broadly similar technological conditions. Functional literacy was apparently narrow in both cultures.[52] Clearly, the Chinese writing

48. Cf. Smith, *What is Scripture?*, pp. 45-64, and also *idem*, 'Scripture as Form and Concept: Their Emergence for the Western World', in Levering (ed.), *Rethinking Scripture*, pp. 29-57 (29-32, 35-39).

49. Cf. W.C. Smith, 'The Study of Religion and the Study of the Bible', in Levering (ed.), *Rethinking Scripture*, pp. 18-28, see pp. 24-25.; W.O. McCready, 'The Nature and Function of Oral and Written Scripture for the Christian Devotee', in Coward (ed.), *Experiencing Scripture*, pp. 34-62, 56-59. The kind of book printing developed in China centuries earlier did not lead to mass production of books, see W. Idema and L. Haft, *A Guide to Chinese Literature* (Michigan Monographs in Chinese Studies, 74; Ann Arbor: University of Michigan Press, 1997), see pp. 18-19. The renaissance Islamic world decided that the Koran should *not* be printed (see again Smith, *What is Scripture?*). Transformation of 'scripture' due to book printing technology was indeed a Western phenomenon.

50. W.A. Graham, 'Scripture as Spoken Word', in Levering (ed.), *Rethinking Scripture*, pp. 129-69 (143): '...the decisive emphasis upon the written or printed page at the expense of the memorized, recited, and orally transmitted word is tied closely to the circumstances of the modern technological age—an age that first came to maturity in Western Europe between about 1600 and 1900'. Cf. pp. 140-52.

51. This is obvious in the Confucian case. On the Hebrew side, Proverbs is a good example. Cf. further J.L. Crenshaw, *Education in Ancient Israel: Across the Deadening Silence* (ABRL; New York: Doubleday, 1998), pp. 221-33.

52. For China, cf. Idema and Haft, *A Guide to Chinese Literature*, p. 20. The discussion on literacy in ancient Israel seems to go towards more conservative estimates, cf. C. Hezser, *Jewish Literacy in Roman Palestine* (TSAJ, 81; Tübingen: Mohr Siebeck, 2001); P. McNutt, *Reconstructing the Society of Ancient Israel* (Library of Ancient Israel;

system was more complicated than the Hebrew one. On the other hand, the economy of Chinese learning and schooling was most likely superior to that of ancient Israel.[53] Technology for writing, preservation and retrieval would be broadly comparable between the two cultures—again with China in a somewhat more advanced state.[54]

Both groups (or some of their members) ascribed religious and divinatory qualities to their scriptural collection. According to Léon Vandermeersch, there is an undercurrent in Chinese thought drawing upon its shamanistic and divinatory proto-history. In his view, Chinese mentality is divinatory. This accounts for the strong status of the canons of Confucius; they 'are products of revelation'.[55] Vandermeersch imagines a distinction between Chinese divinatory literature and Western theological mentality. However, recent studies in biblical prophecy indicate clear parallels at this point.[56] Corresponding to this, Michael Nylan describes an application of the classics that rather resembles how Qumran scribes used Hebrew Scriptures as a means of prognostication and divine revelation. In his view, the Han period regarded the *Classics* as 'sacred works of a divine and infallible...Confucius', containing political prediction as well as prescripts.[57] W.C. Smith described later devotional and institutional use of the Chinese classics in a manner quite similar to the use of Christian Scripture.[58] John Henderson found that commentarial assumptions in

Louisville, KY: Westminster/John Knox Press, 1999), p. 6, *et passim*; Crenshaw, *Education in Ancient Israel*, pp. 39-49, 279-80, *et passim*.

53. Cf. for the Chinese situation J.K. Fairbank and M. Goldman, *China: A New History. Enlarged Edition* (Cambridge, MA: Belknap Press, 1998), pp. 39, 40-41.

54. For China, see Idema and Haft, *A Guide to Chinese Literature*, pp. 13-19. For the Hebrew side, see Crenshaw, *Education in Ancient Israel*, pp. 29-39, or M. Haran, 'Book-Scrolls in Israel in Pre-Exilic Times', *JJS* 33 (1982), pp. 161-73; *idem*, 'Book-Scrolls at the Beginning of the Second Temple Period: The Transition from Papyrus to Skins', *HUCA* 54 (1983), pp. 111-22; *idem*, 'More Concerning Book-Scrolls in Pre-Exilic Times', *JJS* 35 (1984), pp. 84-85; *idem*, 'Bible-Scrolls in Eastern and Western Jewish Communities from Qumran to the High Middle Ages', *HUCA* 56 (1985), pp. 21-62; N. Sarna, 'Ancient Libraries and the Ordering of the Biblical Books', in *idem* (ed.), *Studies in Biblical Interpretation* (Philadelphia: The Jewish Publication Society of America, 2000), pp. 53-66.

55. L. Vandermeersch, 'What is Chinese Fundamentalism?', in B.H.-K. Luk (ed.), *Contacts Between Cultures. IV. Eastern Asia: History and Social Sciences* (Lewiston, NY: Edwin Mellen Press, 1992), pp. 225-28 (227).

56. See recent survey and discussion in A.M. Kitz, 'Prophecy as Divination', *CBQ* 65 (2003), pp. 22-42.

57. Nylan, *Five 'Confucian' Classics*, p. 17.

58. Smith, *What is Scripture?*, pp. 179-83, *et passim*.

Confucian and later in Neo-Confucian traditions were close to those of Christianity.[59] Obviously, 'Confucianism' was not a monolithic entity, but neither was ancient Hebrew religion. Yao Xinzhong describes Confucianism as a 'humanistic religion...manifesting spiritual longing and discipline'.[60] This is not far from the portrayal of Hebrew sapiential theology drawn for instance by Horst Dietrich Preuss.[61]

Both groups produced a body of commentary literature to their respective canons. The form and functions of these commentaries are in part quite close. Taking Hebrew literature in Qumran and Confucian literature in late Han as examples, both would have (i) an early period in which transmitting and commenting went hand in hand, resulting in inner canonical commentary;[62] (ii) a bulk of commentary literature (on books or on themes);[63] (iii) commentaries that either were canonized or lived at the edges of the canon.[64] Also, (iv) in both societies occurred identifiable interpretive communities—schools or parties—whose apparent objectives were to establish and transmit what they saw as the 'right' interpretation of the canon. A Confucian example is the struggle between standard schools and the so-called old text school.[65] On the biblical side, consider the apparent struggle between officialdom and the Qumran Teacher of Righteousness.[66]

Obviously, there were also significant differences between the two traditions. Perhaps the most important difference would be that Jewish Scriptures were habitually applied in religious ritual whereas Confucian writings normally were not. Still, the given similarities seem to warrant cautious comparison. The Confucian canon may be the only reasonably well documented ancient example of the kind of 'top-down canonization'

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59. See Henderson, *Scripture, Canon, and Commentary*, Chapter 4.

60. Yao, *Introduction to Confucianism*, p. 45.

61. H.D. Preuss, *Einführung in die alttestamentliche Weisheitsliteratur* (Urban-Taschenbücher, 383; Stuttgart: W. Kohlhammer, 1987), *passim*.

62. Cf. Fishbane, *Biblical Interpretation*; Henderson, *Scripture, Canon, and Commentary*.

63. For Qumran, see T.H. Lim, *Pesharim* (Companion to the Qumran Scrolls, 3; Sheffield: Sheffield Academic Press, 2002); Flint (ed.), *The Bible at Qumran*. For Confucian literature, see Henderson, *Scripture, Canon, and Commentary*.

64. On Confucian commentaries that became canonized, see above. At Qumran, 'retold Bible' such as *Jubilees* would border on the edge of the canon.

65. Cf. on this complex Ching, *Mysticism and Kingship*, pp. 142-49.

66. See recently L.L. Grabbe, *Judaic Religion in the Second Temple Period: Belief and Practice from the Exile to Yavneh* (London: Routledge, 2000), pp. 183-209 *et passim*. Further Jewish examples, of course, abound.

that Davies assumed for the Hebrew Bible, which makes such a comparison all the more attractive. Indeed, the only historically comparative material Davies could draw upon was from Mesopotamia. However, we have no unambiguous knowledge of Mesopotamian groups acknowledging an identifiable corpus of canonical literature. Also, it remains unclear how the clearly elitist Mesopotamian 'canonical' compositions could have been used to bring about social control—as Davies assumed for the Hebrew canon and as is unquestionable in the Confucian case.

Presumably we do know more about canonicity and canonization in ancient Confucian tradition than in Mesopotamia. Throughout their history, the Confucian canons were emphatically canons 'from above', collected and formulated to serve education in high society, canonized as part of a political venture, maintained as a norm in imperial education and enforced by imperial power. Later, during the Song Dynasty, tens of thousands of scholars obliged to Confucian values served imperial autocracy, imagining the great masses as passive recipients of its benevolent despotism.[67] If one seeks a technologically and culturally relevant comparison for the kind of canon Davies assumes in Hebrew antiquity, the Confucian canon would be it.

b. Comparing Biblical Hebrew and Confucian Canonization

(1) Scribal Institutions in Canonization. Jan Assmann (and now Philip Davies) argued that canonization demands one or more canonizing *institutions*.[68] In the Hebrew case, as in the Confucian, that institution would have comprised scribes. Indeed, scribes were in their professional capacity vital to all ancient scriptural canonization. But for a body of literature to be canonized, social authorization is also necessary. In China, this authority was imperial. The scribes were by and large acting on royal instruction. Individual scribes were at times influential through various emperors, but the scribal class was not itself responsible for canonization. Also, they were not responsible for defining the overarching values and political goals that the *Classics* were expected to legitimize. If an emperor found that the *Classics* were no longer entirely suitable, he could redefine the canon. However, given the nature of the canon, the emperor could never get rid of the scribes.

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67. Fairbank and Goldman, *China: A New History*, p. 96; cf. pp. 93-107.

68. Assmann and Assmann, 'Kanon und Zensur als kultursoziologische Kategorien', pp. 11-15; Assmann, *Das kulturelle Gedächtnis*, pp. 95-97.

The scribal class was influential in a more subtle way. As teachers and (local) interpreters of the canon, they were responsible for maintaining social power related to the *use* of the canon. The scribes would have been responsible for the *legitimacy* perceived in the canon, its truth and value. This equilibrium between rulers and scribes was historically rooted in the fact that the material that became the *Five Classics* was derived from traditional material in pre-Han private and state schooling. A prime reason that Han emperors chose to canonize this tradition in the first place would have been its ability to prove itself as trustworthy for new generations of would-be officials. The canon worked, as every canon must do. For this reason, while *authorization* of the Confucian canon was an imperial matter, the *legitimacy* of the canon was secured through scribal activity.

We are presently unable to identify the interplay between scribes and political power in ancient Hebrew canonization. Still, the Confucian material constitutes a reasonable *model* for continued studies of Hebrew canonization.

(2) 'Above' and 'Below' in Canonization. A serious flaw in Davies' reconstruction is that it lacks a view of the two-way dynamics between the canon and those who come to accept and use that canon (inside *and* outside of the scribal class).[69] Indeed, *Scribes and Schools* lacks an account of that positive embracement of Scripture, which is so characteristic throughout world scriptures.[70] A canon's ability to promote social control depends precisely on 'the masses' in some measure accepting the canon as valuable. The Confucian schools had success because their teaching was attractive. It codified and shaped Chinese culture. Even the ultimately authoritarian and elitist Confucian canon had a popular dimension in the sense that it was perceived of as convincing means of government by ever-new generations recruited to imperial service. There was a certain power from 'below' as well as from 'above'. Something similar should be expected for the Hebrew case.

Consider one example. Davies limits his focus on canonization to scribal activity, neglecting the dynamics of a canon to any community outside of the authoring body. As a result, he is unable to (or uninterested in) distinguishing between a book being copied and its being canonized.

69. Assmann, *Das kulturelle Gedächtnis*, see pp. 56-59 and 87-129.

70. See Smith, *What is Scripture?*, pp. 239-40. Davies, *Scribes and Schools*, pp. 53-54 explains why Smith's perspective is difficult, but that is not an argument to disregard this dimension of Scripture altogether.

Davies suggests *inter alia* the existence of an early 'Enochic canon',[71] although he offers no historical indication that Enochic literature was ever considered a separate canon by an identifiable community. Similarly, he identifies separate Mosaic, prophetic and Davidic–Solomonic canons as well as a canon of 'serious entertainment'. Again, there is no positive indication that any of these were regarded as identifiable canons (save, perhaps, for the first—but both Davies and I would doubt such an assumption). Davies' argument is possible only because he disregards the question of individual and social engagement in a canon.

(3) Change, Stability and Power. The distribution of influence in a canon is visible at a point where the Confucian canon is utterly characteristic. On the one hand, the limits of this canon were unusually clearly defined by imperial decrees throughout the period. On the other hand, the Confucian canon also kept changing—in part radically—through the centuries. It continued to include new writings and also to edit or exclude some old ones in the Later Han and Tang periods. (In the Neo-Confucian era it even allowed an entire recast including radical omissions and new growth.[72]) Most other canons, once fixed, show far less fluidity. Certainly, no other canon ever had such ability to *omit* books that were once formally canonized.[73] Julia Ching argues that it was the strong state interest in the Confucian canon that caused this characteristic. On the one hand, imperial needs led to the *Classics* being standardized and canonized firmly and meticulously. On the other hand, changing political needs caused the same canon to change drastically. The interpretation of the canon, and eventually the canon itself, came under a pressure from the very forces that first promoted its establishment.[74]

The fact that the Hebrew canon did *not* experience these kinds of resolute changes indicates a more balanced distribution of power from 'above' and 'below'. The existence of different versions of the Christian Old Testament points precisely to the *inability* in the churches to adjust or

71. Davies, *Scribes and Schools*, pp. 163-65.

72. Cf. Yao, *Introduction to Confucianism*, pp. 54-67; Henderson, *Scripture, Canon, and Commentary*, pp. 50-56. While the Neo-Confucian development is outside of our period, there is reason to believe that its social dynamics was similar to that of earlier periods.

73. Henderson, *Scripture, Canon, and Commentary*, pp. 51-61, argues that there are parallels, but his examples are not convincing.

74. Ching, *Mysticism and Kingship*, p. 142; cf. pp. 139-53.

streamline their canons. Similarly, the several branches of Second Temple
Hebrew religion apparently did recognize a core of biblical literature as
Scripture. Some branches had more than what is now included in the
Tanakh, but it is questionable whether any identifiable group ever omitted
any of the books later formally identified as canon. My interpretation
would be that once the canonizing process had started, not even the
Temple of Jerusalem had the power and position to enforce the kind of
canonical decisions made by Chinese emperors. After the fall of the
Temple, there was no Hebrew (or Christian!) institution that could easily
dispose of the books of *Tanakh*. The implication is that the biblical
Hebrew canon emerged in a socially defined equilibrium that allowed
more power 'from below' than what was admitted in Confucian canoni-
zation.

(4) 'Formal' and 'Actual' Canons—Canonized Interpretation. Social
dynamics require that a canon remains convincing, which inevitably
means it must be flexible. The ability of a canon to adapt is a universal
phenomenon.[75] Since change in a formalized canon is rare, most strong
canonical traditions obtain flexibility by way of *interpretation*.[76] Not
infrequently, there emerges a body of commentary literature that is in fact
canonical, but to a less formalized degree. Commentary becomes part of
the 'actual' (as distinct from the 'formal') canon.[77] Arguably, actual
canons are often more influential but less durable than formal canons.

In Jewish religion, the canon became not simply the *Tanakh*, but rather,
Tanakh, Mishnah and the Talmudim.[78] Jewish religion in fact canonized
its interpretations first of the *Tanakh* and then of the Mishnah. By so
doing, it achieved a drastically higher level of flexibility. Similarly, when
the Christian mediaeval *pagina sacra* consisted of text and gloss, the
gloss too did in practice have a sort of semi-canonical status.[79] In early

75.   See, for instance, J.A. Sanders, 'Adaptable for Life: The Nature and Function of
Canon', in F.M. Cross *et al.* (eds.), *Magnalia Dei: The Mighty Acts of God* (New York:
Doubleday, 1976), pp. 531-60; see also the entries in Van der Kooij and Van der Toorn
(eds.), *Canonization and Decanonization*, Section Two.

76.   With Assmann, *Das kulturelle Gedächtnis*, pp. 103-29 (118-21).

77.   For this distinction, again cf. Levering, 'Introduction', p. 13.

78.   With J. Rosenbaum, 'Judaism: Torah and Tradition', in F. Denny *et al.* (eds.), *The
Holy Book in Comparative Perspective* (Columbia: University of South Carolina Press,
1985).

79.   Cf. B. Smalley, *The Study of the Bible in the Middle Ages* (Oxford: Basil Black-
well, 1984).

Confucian literature a diversity of actual canons was visible for instance in debate between schools transmitting alternative interpretations of the canon.[80] Some few Confucian commentaries eventually reached the formal status of *jing* (see above). Clearly, Confucian commentarial traditions formed views that were socially and ideologically important. Where the *Classics* in themselves could be thought to lack sense, the interpretive tradition tended to find profound sense.[81]

A similar dynamic between formal and actual canon would have occurred also in biblical canonization. A good indication would seem to be the legend on how Ezra fixed the biblical canon now reflected in *4 Ezra* 14. The passage also records that Ezra authored seventy *additional* books. These would have been 'apocryphal' books honoured by the community to whom *4 Ezra* 14 is directed. Therefore *4 Ezra* 14 witnesses both recognition of some common, (more or less) *formal* Jewish canon and the notion that the additional seventy books give the better interpretation of that canon. These books would in practice have been more important to this group than the standard canon. It seems to me that much discussion on canon in Qumran would benefit from scrutinizing such insights on the role of commentary in canonization and on the distinction between formal and actual canons. For example, the so-called rewritten biblical books could be taken to acknowledge *both* the canonical weight of the biblical book *and* the need to give a reinterpretation.[82] Similarly, in my view Davies' 'Enochic canon' would be more easily perceivable as an 'actual' rather than a 'formal' canon.

(5) Crisis and Canonization. Davies and others hint that one early impetus to formalize some Hebrew canon could have been the threat to tradition through Seleucid book-burning. As opposed to this, earlier scholars tended to see the Hebrew canonization as a gradual process propelled, so to speak, by the authority inherent in biblical literature. Confucian material hints at the plausibility of the assumption that crisis or external pressure could encourage a start of formal canonizing. Also, further comparative material indicates that formalization of a canon often

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80. See, for instance, Graham, *Disputers of the Tao, passim*.

81. Cf. D.K. Gardner, *Chu Hsi and the Ta-hsueh: Neo-Confucian Reflection on the Confucian Canon* (Harvard East Asian Monographs, 118, Cambridge, MA: Harvard University Press, 1986).

82. On the phenomenon see I. Fröhlich, ' "Narrative Exegesis" in the Dead Sea Scrolls', in M.E. Stone *et al.* (eds.), *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (STDJ, 28; Leiden: E.J. Brill, 1998), pp. 81-99.

comes as a response to threat towards the canonical society.[83] One is perhaps justified in looking for specific incidents as social catalysts for biblical canonization, but two points need to be kept in mind. First, when a canon is being formalized, it is likely that it takes the form of struggle for or against or between canons that are already functional in some group (cf. China in the Qin period). Davies' assumption that for three hundred years there were several 'loose Hebrew canons' living easily alongside a Hasmonean canon of some authority, is not really convincing.

Secondly, if there was a book-burning in the Qin Dynasty, it would have to be seen as implicitly acknowledging that the books in question did have the potential to perform canonical functions in society.[84] Similarly, if there were a Seleucid book-burning in Jerusalem, it would indicate that the books in question were socially and politically significant. Unless such books were in a proto-canonical state, it would have been little point in burning them.

Much more could have been said, and even more remains to be discovered. My hope is that what has been noted will demonstrate that there is considerable gain in comparing canons across cultural borders. We biblical scholars have a lot to learn about our concepts of canon and canonicity from such comparison. Also, there are important insights to be gained on the different functions a canon could have, and on different processes of canonization. Our learning in this field has only just begun.

83.   See Fernhout, *Canonical Texts*, pp. 45-60 (50-60); cf. pp. 75-76; Assmann, *Das kulturelle Gedächtnis*, pp. 125-26.

84.   Nylan, *Five 'Confucian' Classics*, pp. 29-31, gives a critical evaluation of the account of the book-burning, but agrees that a Qin prohibition on private learning is historically plausible.